REMARKS

Please reconsider the application in view of the above amendments and the following remarks. Applicant thanks the Examiner for carefully considering this application.

Attorney Docket No.

Applicant has appointed Osha·Liang LLP, which is associated with customer number 32615, to represent Applicant in this case. Accordingly, please change the attorney docket number to **03226/794001; SUN060201** and send future communications to the address associated with customer number **32615**. A revocation and substitution of power of attorney executed by the Applicant is forthcoming.

Drawings

Applicant respectfully requests that the Examiner accept the drawings submitted on January 12, 2001. Applicant submits that these drawings are formal.

Disposition of Claims

Claims 1, 2, 5-17, and 24-29 are pending in this application. Claims 1 and 15 are independent. The remaining claims depend, directly or indirectly from claims 1 and 2. Claims 2, 9-10, 16, and 24-29 have been cancelled without prejudice or disclaimer.

Claim Amendments

Independent claims 1 and 15 have been amended to clarify the invention. Support for the amendments to claims 1 and 15 may be found, for example, in Figure 2-4 and the accompanying text of the instant application. Further, dependent claims 6-9, 11-14 and 17 have been amended

to address antecedent basis issues arising from the amendment of independent claims 1 and 15.

No new matter has been added by any of the aforementioned amendments.

Rejection under 35 U.S.C. §112 ¶1

Claims 1-2, 5-17, and 24-29 stand rejected under 35 U.S.C. §112, ¶1. Claims 1 and 15

have been amended to remove the limitations that the Examiner asserted were not supported by

the instant application. In view of the amendments to independent claims 1 and 15, all claims

now satisfy 35 U.S.C. §112 ¶1. Accordingly, withdrawal of this rejection is respectfully

requested.

Rejection under 35 U.S.C. §112 ¶2

Claims 1-2, 5-17, and 24-29 stand rejected under 35 U.S.C. §112, ¶2. Claims 1 and 15

have been amended remove the limitations that the Examiner asserted were not supported by the

instant application. In view of the amendments to independent claims 1 and 15, all claims now

satisfy 35 U.S.C. §112 ¶2. Accordingly, withdrawal of this rejection is respectfully requested.

Rejection under 35 U.S.C. §103

Claims 1-2, 5-17, and 24-29 stand rejected under 35 U.S.C. §103 as being unpatentable

over U.S. Patent No. 6,687,735 ("Logston") in view of U.S. Patent No. 6,463,457

("Armentrout"), and further in view of U.S. Patent No. 6,415,323 ("McCanne"). Claims 2, 9-10,

16, and 24-29 have been cancelled by this reply. Thus, this rejection is now moot with respect to

the cancelled claims. To the extent that this rejection applies to the claims, as amended, this

rejection is respectfully traversed.

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"To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations." (*See* MPEP §2143). The Applicant respectfully asserts that the cited references do not teach all the claimed limitations.

Logston is directed to a method of balancing distributed applications in a client/server network. In particular, the method disclosed in Logston discusses the moving various pieces of a distributed application between various clients in an attempt to balance the processing load across all of the clients. Logston discloses the use performance statistics to ensure that the load is optimally balanced across the clients. (*See* Logston, Abstract, Figure 3).

Armentrout is directed to a method and apparatus for using idle computing processing power of a number of provider computers. In particular, Armentrout discloses a client sending a task to a networked server. Upon receipt of the task, the networked server determine which of the number of provider computers has idle computing processing power and schedules the task to the serviced accordingly. Once the task has been serviced, the networked server obtains the corresponding result and forwards the result to the client computer. (*See* Armentrout, Abstract, Figures 5, 6, and 7).

McCanne is directed to a system for redirect service request from a client. In particular, McCanne discloses the following method: (i) client sends a service request to a node in the network, (ii) the node determines a server in the network that can process the service request, (iii) the node sends the client a redirect message, wherein the redirect message includes information to contact the server determined by the node; and (iv) the client, using the redirect

message, contacts the server to initiate processing of the service request. (*See* McCanne, Abstract and Figure 5). McCanne discloses using load and availability information to determine which of the server in the network to select to process the service request. (*See* McCanne, col. 16, ll. 18-20).

Turning to the rejection, the Applicant respectfully asserts that Logston, Armentrout, and McCanne, whether viewed separately or in combination fail to teach at least the following limitations of amended independent claim 1:

i.   "wherein each of the plurality of distributor servers in the first distributor server set is configured to receive the computing task from the client and redirect the computing at least one of the plurality of distributor servers in the second distributor server set," – In view of the above discussion, all of the cited references only teach at most one set of servers used for redirection (*See* McCanne). However, none of the cited references teach the use of two sets of indirection servers (*i.e.*, two unique sets of distributor servers). Moreover, there is no teaching or suggestion in any of the cited references that would render this limitation obviousness; and

ii.   "wherein the one of the plurality of application servers is selected using an attribute of the computing task and an attribute associated with at least one of the plurality of application servers" – The above limitation requires that the application server is selected using both an attribute of the computing task *and* an attribute of an application server. From the above discussion, the cited referenced only teach using load and availability of the application servers to determine which of the plurality of application servers to select. However, there is no teaching of using an attribute of a computing task to aid in this determination.

In view of the above, the cited referenced, whether considered separately or in combination, fail to teach or suggest the invention recited in amended independent claim 1. Amended independent claim 15 includes essentially the same patentable limitations as amended independent claim 1 and, thus, is patentable over the cited references for at least the same reason as amended independent claim 1. Dependent claims are patentable over the cited referenced for at least the same reason as amended independent claims 1 and 15. Accordingly, withdrawal of this rejection is respectfully requested.

New Claims

Claims 31-41 have been added by this reply. Support for new claims 31-32 may be found, for example, on page 9 of the instant application. Support for new claim 33 may be found, for example, on page 9 and Figure 1b of the instant application. Support for new claim 34-35 may be found, for example, on page 11 of the instant application. Support for new claim 36-37 may be found, for example, on page 10 of the instant application. Support for new claim 38-39 may be found, for example, in cancelled claim 21. Support for new claim 40-41 may be found, for example, on page 11 of the instant application.
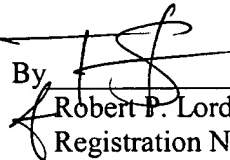
Claims 31-34 are dependent on amended independent claim 1 and, thus, are patentable over the cited referenced for at least the same reasons as amended independent claim 1. Claims 35-41 are dependent on amended independent claim 15 and, thus, are patentable over the cited references for at least the same reasons.

Conclusion

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 03226/794001).

Dated: February 14, 2006   Respectfully submitted,

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